

REVISED

AGN. NO.

MOTION BY SUPERVISORS YAROSLAVSKY AND RIDLEY-THOMAS April 20, 2010

Millions of drivers on County of Los Angeles roadways rely on metal materials in the vehicles' brake pads to bring them under safe control when driving. However, studies recently conducted by the Brake Pad Partnership (BPP), a collaborative group of brake manufacturers, environmentalists, stormwater management entities, and regulators, has determined that copper, a significant component of brake pad wear debris, is a pollutant because of its toxicity to sensitive species of algae (phytoplankton) that form the base of the aquatic food web. A study conducted in San Francisco Bay concluded that copper, mostly from brake pads (and other less significant sources), is suspended in stormwater runoff that enters the bay and causes the breakdown of the bay's food chain.

Total Maximum Daily Load (TMDL) regulations have been imposed by the Los Angeles Regional Water Quality Control Board on municipalities in the County of Los Angeles and County unincorporated areas (County) requiring a significant reduction, if not elimination, of metals such as copper from stormwater runoff.

MOTION

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The problem faced by the County and the municipalities in trying to comply with these TMDL regulations is that copper usually finds its way into stormwater runoff in a dissolved form, which is very difficult and very expensive to treat. Thus, efforts have focused on eliminating copper at the source.

In Los Angeles County, two dozen cities from Arcadia to Long Beach, including the City of Los Angeles, have contributed over \$70,000 to the BPP to support efforts in advancing legislation which addresses the elimination of this source of copper in our watershed. Funding contributions to the BPP are based on a formula that considers population within the Municipal Stormwater 4 (MS4) region and its watersheds, and the number of TMDLs imposed. Based on this formula, the County's contribution would be \$42,500.

The BPP has focused its efforts on the passage of Senate Bill (SB) 346, authored by Senators Kehoe and Simitian, which would effectively remove copper from brake pad materials by January 1, 2032. According to the Department of Public Works, SB 346 would enable the State to effectively control this significant source of toxic pollution in stormwater runoff, enabling the County and the municipalities to substantially comply with TMDL regulations. This action would save the State, counties, and local municipalities billions of dollars for the cost of stormwater treatment. Passage of SB 346 would be a worthy achievement provided that certain changes in TMDL regulations can be made by Federal and State agencies to coordinate the compliance deadlines of TMDL regulations with the target dates contained in this legislation.

WE, THEREFORE, MOVE that the Board of Supervisors support SB 346 if

amended to include provisions recommending that State and Federal water regulatory bodies revise the TMDL compliance schedules for copper to match the schedule for elimination of copper brake pad materials in the bill; and

WE FURTHER move that the Chief Executive Officer be instructed to identify \$42,500 in the current year budget ~~in Final Changes to the Fiscal Year 2010-2011 Budget~~ for the Brake Pad Partnership so the necessary collaboration can continue.